

Appeal Nos. 2023-1404, -1405, -1406

In the United States Court of Appeals
for the Federal Circuit

UNIQUIRE BIOPHARMA B.V.,

Appellant,

v.

PFIZER, INC.,

Appellee,

Appeals from the United States Patent and Trademark Office, Patent Trial and
Appeal Board in Nos. IRP2021-00925, IRP2021-00926, IRP2021-00928

**APPELLEE PFIZER, INC.'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE RESPONSIVE BRIEF**

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Attorneys for Appellee

MAY 19, 2023

CERTIFICATE OF INTEREST

Counsel for Appellee Pfizer Inc. certifies the following:

1. The full name of the party represented by undersigned counsel is:

Pfizer Inc.

2. The name of the real party in interest represented by undersigned counsel is:

Not applicable

3. Parent corporations and publicly held companies that own 10% or more of stock in the party:

Not applicable

4. The names of all law firms and the partners or associates that appeared for the party now represented by me in originating court or agency or are expected to appear in this court (and who have not or will not enter an appearance in this case) are:

Alyssa Picard, Formerly of Williams & Connolly LLP (worked on matter while before PTAB)

Robert F. Hartsmith, Formerly of Williams & Connolly LLP (worked on matter while before PTAB)

5. The title and number of any case known to me to be pending in this or any other court or agency that will directly affect or be directly affected by this court's decision in the pending appeal:

U.S. Patent App. No. 17/213,848

U.S. Patent App. No. 17/447,372

U.S. Patent App. No. 17/213,897

U.S. Patent App. No. 17/643,326

U.S. Patent App. No. 18/153,894

6. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees):

Not applicable

Respectfully submitted,

MAY 19, 2023

/s/ Dov P. Grossman

DOV P. GROSSMAN

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Attorney for Appellee

Pursuant to Federal Rule of Appellate Procedure 26(b) and Federal Circuit Rule 26(b), Appellee Pfizer Inc. (“Pfizer”) respectfully moves for an extension of time of 30 days to file its responsive brief, up to and including July 7, 2023. Absent an extension, Pfizer’s brief would be due on June 7, 2023. This motion is accompanied by the Declaration of Dov P. Grossman In Support Of Unopposed Motion for Extension of Time.

Under Federal Rule of Appellate Procedure 26(b), “[f]or good cause, the court may extend the time prescribed by these rules” for a party to file its brief. There is good cause for this motion, as set forth below:

1. This motion is being filed at least seven calendar days before the original due date of Pfizer’s responsive brief.
2. Pfizer has filed no prior motion for extension of time.
3. During the period between service of Appellant’s Opening Brief and the current deadline of June 7, 2023, counsel for Pfizer has been and will be heavily involved in other matters, including presenting oral argument before the U.S. Patent & Trademark Office Patent Trial and Appeal Board, briefing, contentions, expert reports, and depositions. The additional time is needed to help ensure that counsel has sufficient time to review the record in these consolidated appeals, develop a response to Appellant uniQure biopharma N.V.’s (“uniQure’s”) submission, which

had its word limitation expanded by 2,000 words, and prepare a brief on behalf of Pfizer.

4. Pfizer respectfully submits that an extension will not prejudice the resolution of this appeal or the issues presented therein.

5. Pfizer has conferred with uniQure and uniQure agrees to the proposed extension of time.

For these reasons, Pfizer respectfully requests that its motion for an extension of time be granted and that the Court permit the filing of Pfizer's brief on or before July 7, 2023.

MAY 19, 2023

Respectfully submitted,

/s/ Dov P. Grossman

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**DECLARATION OF DOV P. GROSSMAN IN SUPPORT OF
UNOPPOSED MOTION FOR EXTENSION OF TIME**

I, Dov P. Grossman, am a partner in the law firm of Williams & Connolly
LLP, and counsel of record for Pfizer Inc. (“Pfizer”) in the above-captioned matter.
I submit this declaration in support of Pfizer’s unopposed motion for extension of
time.

1. This motion is being filed at least seven calendar days before the
original due date of Pfizer’s responsive brief.

2. Pfizer has not previously sought any extension of time for its responsive
brief.

3. During the period between service of Appellant’s Opening Brief and
the current deadline of June 7, 2023, counsel for Pfizer has been and will be heavily

involved in other matters, including presenting oral argument before the U.S. Patent & Trademark Office Patent Trial and Appeal Board, briefing, contentions, expert reports, and depositions.

4. To ensure that counsel has sufficient time to develop a response to Appellant uniQure biopharma N.V.'s ("uniQure's") submission, which had its word limitation expanded by 2,000 words, and prepare a brief on behalf of Pfizer, counsel for Pfizer respectfully requests a total extension of time of 30 days, until July 7, 2023, to file Pfizer's responsive brief in this appeal.

5. uniQure has agreed to Pfizer's requested extension of time.

6. This request for additional time is brought in good faith.

I declare under penalty of perjury that the foregoing is true and correct.

MAY 19, 2023

Respectfully submitted,

/s/ Dov P. Grossman

DOV P. GROSSMAN

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Attorney for Appellee

CERTIFICATE OF SERVICE

I, Dov P. Grossman, counsel for Appellant and a member of the Bar of this Court, certify that, on May 19, 2023, a copy of the foregoing Joint Motion Regarding Briefing Schedule was filed electronically and served by CM/ECF on counsel of record. I further certify that all parties required to be served have been served.

Respectfully submitted,

/s/ Dov P. Grossman

DOV P. GROSSMAN

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Attorney for Appellee

CERTIFICATE OF COMPLIANCE WITH TYPE-VOLUME LIMITATIONS

The undersigned certifies that the foregoing filing complies with the relevant type-volume limitation of the Federal Rules of Appellate Procedure and Federal Circuit Rules:

1. The filing has been prepared using a proportionally-spaced typeface and includes 308 words.

2. The filing has been prepared using Microsoft Word using 14-point Times New Roman font. As permitted by Fed. R. App. P. 32(g), the undersigned has relied upon the word count feature of Microsoft Word in preparing this certificate.

MAY 19, 2023

Respectfully submitted,

/s/ Dov P. Grossman

Dov P. Grossman

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